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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/540,238	04/01/2000	Srinivas Chaganty	M-8403 US	9955

7590

06/16/2004

Avaya Inc.
Docket Administrator
307 MIDDLETOWN LINCROFT ROAD #IN391
LINCROFT, NJ 07738

EXAMINER

HA, LEYNNA A

ART UNIT	PAPER NUMBER
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2135

13

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment

Application No.

09/540,238

Examiner

LEYNNA T. HA

Applicant(s)

CHAGANTY ET AL.

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 08 December 2003.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

In addition to the discussion concerning the interview with Applicant's attorney below:

The Application has expired and considered abandoned as of June 8, 2003 because a failure to repond to a Final office action. Mr. Volejnicek said he never received the Final office action. The Final office action/Restarted Period was sent out to the correct address.


GILBERTO BARRON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Examiner-Initiated Interview Summary

Application No.

09/540,238

Applicant(s)

CHAGANTY ET AL.

Examiner

LEYNNA T. HA

Art Unit

2135

All Participants:

(1) LEYNNA T. HA.

(2) Mr. David Volejnicek.

Status of Application: Expired

(3) _____

(4) _____

Date of Interview: 10 June 2004

Time: _____

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

N/A

Claims discussed:

N/A

Prior art documents discussed:

N/A

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The Examiner placed a courtesy reminder that the application is reaching abandonment on June 8, 2004 and if a response was sent in for the Final rejection. Mr Volejnicek left a voice message that there was an IDS sent in, but did not mention anything concerning a response to the Final rejection. The Examiner called back indicating that there was a Final office action sent out on November, 12, 2003 and then a letter of Restarting Period was also sent out on December 8, 2003. Mr. Volejnicek indicated that he sent in a notice of address change. The Examiner checked within the file wrapper and confirmed with Mr.Volejnick that the Final rejection was mailed out to the correct address as indicated in the notice of address change. Mr. Volejnicek requested the cover page of the (1st) Final office action and the Notice of Restarted Period to submit for reviving the application. .